

### REMARKS

Claims 20-38 are pending. Claim 20 has been amended to recite the wild-type EPOR sequence used in the PDA design (SEQ ID NO: 2). Support for the amendment can be found throughout the specification, e.g. page 6, lines 25-27. Because the foregoing amendment introduces no new matter, Applicants respectfully request their entry.

#### Notice to Comply with the Sequence Rules

The Examiner asserts that Applicants' response filed 6/21/02 was not fully responsive and failed to comply with the requirements of 37 C.F.R. 1.821-1.825. In particular, the Examiner notes that claims 21-30 recite specific amino acid residues, but do not recite a SEQ ID NO. corresponding to the amino acid residues listed. Without agreeing with the rejection, in the interests of furthering prosecution and technical clarity unrelated to patentability, Applicants have amended claim 20 to further recite the sequence for the wild-type EPOR (SEQ ID NO: 2) from which the variants disclosed in dependent claims 21-26 and 28-30 are derived. Thus, the present invention claims an EPOR analog protein comprising an amino acid sequence that has at least one amino acid substitution as compared to wild-type EPOR (SEQ ID NO: 2).

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 11/19/03  
Customer Number: 32940  
Dorsey & Whitney LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

BY: 

Renee M. Kossak, Reg. No. 47,717 for  
Robin M. Silva, Reg. No. 38,304  
Filed under § 1.34(a)